

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ISAAC RUIZ,

Plaintiff,

v.

JERRY KIMES, *et al.*,

Defendants.

Case No. C07-5273RBL

ORDER ADOPTING
THE REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants motion to dismiss is **DENIED**.
- (3) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley Arnold.

DATED this 29th day of October, 2007.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE